

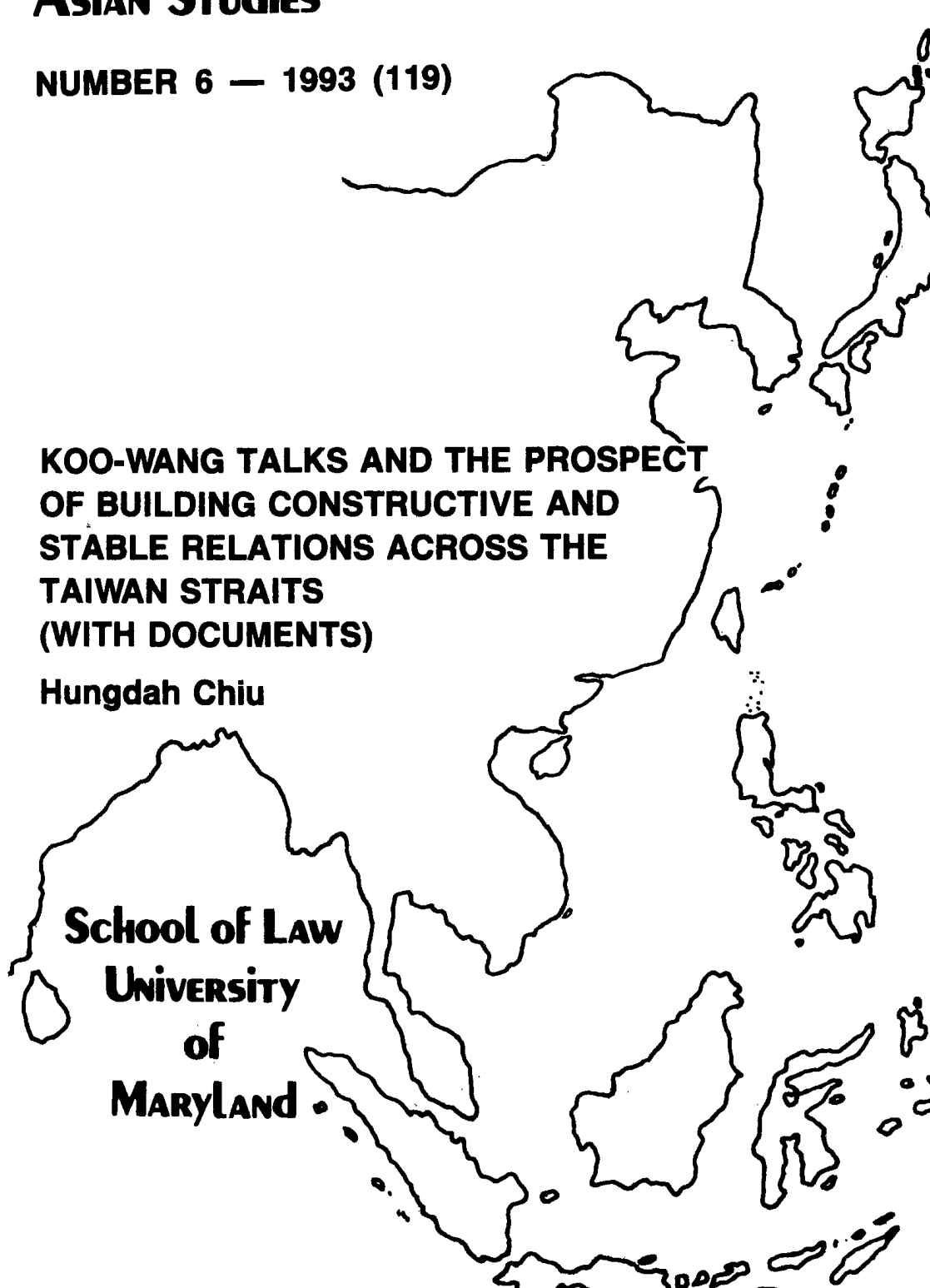
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**KOO-WANG TALKS AND THE PROSPECT
OF BUILDING CONSTRUCTIVE AND
STABLE RELATIONS ACROSS THE
TAIWAN STRAITS
(WITH DOCUMENTS)**

Hungdah Chiu

**School of Law
University
of
Maryland**



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TABLE OF CONTENTS

	<i>Page</i>
I. Introduction	1
II. From Confrontation to Peaceful Contacts	2
III. The ROC's New Policy Toward the Mainland Under President Lee Teng-hui	3
IV. Moving Toward Closer Taiwan-Mainland Relations ...	7
V. The Chinese Communist Regime's Response to the ROC's Unification Guidelines.....	8
VI. Negotiation Between the SEF and the ARATS	10
VII. Origin of the Koo-Wang Talks	12
VIII. Preparatory Meeting and the Nature of the Talks	13
IX. Agreements Reached in Singapore	14
X. Reaction in the Mainland and Taiwan	15
XI. Prospects for Further Development of Taiwan- Mainland Relations	16
 Documents	
Appendix I: Our Views on the Koo-Wang Talks, Taipei: ROC Mainland Affairs Council, 1993	
Our Views on the "Koo-Wang Talks"	19
I. The Origin of the Koo-Wang Talks.....	19
II. Definition of the Koo-Wang Talks.....	20
III. The Anticipated Results and Accomplishments of the Talks	21
IV. The Content of the Four Agreements Signed at the Koo-Wang Talks	22

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V.	The Nature of “Direct Transportation, Mail and Trade”	24
VI.	Cross-Straits Relations After the Koo-Wang Talks ..	26
Appendix II: English Translation of the Text of the Agreements		
	Introduction	28
I.	Joint Agreement of the Koo-Wang Talks	29
II.	Agreement on Use and Verification of Certificates of Authentication (Notarization) Across the Taiwan Straits	30
III.	Agreement on Matters Concerning Inquiry and Compensation for [Lost] Registered Mail Across the Taiwan Straits	32
IV.	Agreement on the System for Contacts and Meetings Between the Straits Exchange Foundation and the Association for Relations Across the Taiwan Straits .	33
Appendix III: Guidelines for National Unification.....		35
Appendix IV: Chinese Version of the Agreements		
I.	Joint Agreement of the Koo-Wang Talks	37
	1. Text in Original Chinese Characters	38
	2. Text in Simplified Chinese Characters	40
II.	Agreement on Use and Verification of Certificates of Authentication (Notarization) Across the Taiwan Straits	42
	1. Text in Original Chinese Characters	43
	2. Text in Simplified Chinese Characters	47
III.	Agreement on Matters Concerning Inquiry and Compensation for [Lost] Registered Mail Across the Taiwan Straits	50
	1. Text in Original Chinese Characters	51
	2. Text in Simplified Chinese Characters	54
IV.	Agreement on the System for Contacts and Meetings Between the Straits Exchange Foundation and the Association for Relations Across the Taiwan Straits .	57
	1. Text in Original Chinese Characters	58
	2. Text in Simplified Chinese Characters	61

The Koo-Wang Talks and the Prospect of Building Constructive and Stable Relations Across the Taiwan Straits

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On February 8, 1991, the Republic of China (ROC) established the private Straits Exchange Foundation (SEF) to make unofficial contact and negotiations with the mainland Chinese authorities. Koo Chen-fu, chairman of the National Association of Industry and Commerce, was elected chairman of the SEF. On December 6, 1991, the People's Republic of China (PRC) decided to establish a corresponding organization—the Association for Relations Across the Taiwan Straits (ARATS). Wang Tao-han (Wang Daohan), a former mayor of Shanghai, was elected as its chairman. On April 27, 1993, Koo and Wang began their historic talks in Singapore and on April 29, 1993, four agreements were concluded. This was the first meeting between the heads of two private, but government-authorized intermediary organizations of Taiwan and the mainland since the two parts of China were de facto divided in late 1949. This article reviews the background and origin of the Koo-Wang talks and their implications for the development of Taiwan-mainland relations. The official ROC view on the talks as released by the ROC Mainland Affairs Council, the English translation of the four agreements reached at the talks, and the Guidelines for National Unification are included in the appendices of this paper.

* * *

I. Introduction

In late April 1993, more than three hundred reporters, representing almost all major news media of the world, gathered in Singapore to observe the much publicized Koo-Wang talks. This was the first meeting between the heads of two private, but government-authorized

intermediary organizations of Taiwan and the mainland since the two parts of China were de facto divided in late 1949. Three agreements and a joint accord were signed on April 29, 1993 between Chairman Koo Chen-fu of Taipei's Straits Exchange Foundation (SEF) and Chairman Wang Tao-han (Wang Daohan) of Peking's (Beijing's) Association for Relations Across the Taiwan Straits (ARATS). Commenting on the significance of this event, Chairman Koo said that "a historic step has been taken after nearly [4]0 years of separation [between Taiwan and the mainland]," while Wang said that talks and agreements "are important for the continuing development of Taiwan-mainland relations."¹

This paper reviews the significance of the Koo-Wang talks and their implication on the development of Taiwan-mainland relations. This paper begins with a review of the development of such relations in the late 1970s.

II. From Confrontation to Peaceful Contacts

Before January 1, 1979, the Chinese Communist regime (the People's Republic of China or PRC) adhered to the policy of "liberating" Taiwan, i.e., using force to achieve the goal of the unification of China. The Republic of China (ROC) on Taiwan responded by advocating a policy to "counterattack the mainland" or "recover the mainland." During that period, the Chinese Communist forces continued shelling the island of Kinmen (Quemoy) on the odd-numbered days of the month,² in order to keep up the image that the civil war was still going on between the Chinese Communist regime and the ROC. This practice was terminated on January 1, 1979 and, in the meantime, the Standing Committee of the Chinese Communist regime's National People's Congress (NPC) called for establishing with Taiwan "three links"—direct mail, trade, and air and shipping services; and "four exchanges"—cross-Straits visits by relatives and tourists, academic groups, cultural groups, and sports representatives, as a first step toward the ultimate goal of unification.³

¹Tammy C. Peng, "Historic Meeting Produces Four Agreements," *Free China Journal* 10, no. 31 (April 30, 1993): 1.

²"PRC Defense Minister P'eng Teh-huai's Second Message to Compatriots in Taiwan" (October 25, 1958), *Peking Review* 1, no. 35 (October 28, 1958): 5.

³"N.P.C. [National People's Congress] Standing Committee Message to Compatriots in Taiwan," *Beijing Review* 22, no. 1 (January 5, 1979): 16-17.

On September 30, 1981, Marshal Yeh Chien-ying (Ye Jianying) of the Chinese Communist regime made a specific nine-point proposal to Taipei on unification and offered Taiwan "a high degree of autonomy as a special administrative region" after unification. He also renewed the 1979 call for establishing the "three links" and "four exchanges" with Taiwan.⁴

The late President Chiang Ching-kuo of the ROC categorically rejected the Chinese Communist regime's offer for unification because such an offer was preconditioned on the relinquishment of the ROC's sovereignty. Therefore, he responded by adopting the "three nos" policy—no contact, no negotiation, and no compromise toward the Chinese Communist regime's offer.⁵ However, he also called for "the unification of China through [Dr. Sun Yat-sen's] Three Principles of the People [Nationalism, Democracy, and People's Livelihood]," and quietly dropped the slogans of "counterattack the mainland" and "recover the mainland."

With respect to the Chinese Communist regime's call for establishing the "three links" and "four exchanges," Chiang took a step-by-step approach by gradually allowing indirect trade and other contacts between Taiwan and the mainland. Finally, on November 2, 1987, Chiang agreed to officially lift a ban on Taiwan resident visiting their relatives on the mainland,⁶ thereby initiating increased contacts between Taiwan and the mainland.

III. The ROC's New Policy Toward the Mainland Under President Lee Teng-hui

On January 13, 1988, President Chiang Ching-kuo passed away

⁴"Chairman Ye Jianying's [Yeh Chien-ying's] Elaboration in Policy Concerning Return of Taiwan to Motherland and Peaceful Reunification," *Beijing Review* 24, no. 40 (October 5, 1981): 10.

⁵E.g., see Chiang Ching-kuo's speech to the Standing Committee of the Central Committee of the Chinese Nationalist Party (or Kuomintang, KMT) on April 4, 1979. In *Chien-k'u cho-chüeh chi-wang k'ai-lai—Kuan-ch'e Chiang ku tsung-t'ung Chiang-kuo hsien-sheng fan-kung fu-kuo chih hsün-shih* (To do extremely hard and bitter work and to carry on past traditions and open a way for those who follow—To thoroughly carry out the instructions of the late President Chiang Ching-kuo on anti-Communism and restoring our country) (Taipei: Government Information Office, 1988), 136-37.

⁶In an interview with *Yüan-chien* (Global Views Monthly) in November 1987, the late President Chiang stated: "The consistent policy of [my] government is to insist on an anti-Communist stand and not to make any contact, negotiation, and compromise with the Chinese Communists. . . . [My] government's approval of our nationals to visit their relatives on the mainland is entirely based on a humanitarian stand, moral prin-

and Vice President Lee Teng-hui succeeded to the presidency and also succeeded to the chairmanship of the ruling Chinese Nationalist Party (Kuomintang, KMT), left vacant by Chiang's death. On July 12, 1988, the KMT's Thirteenth National Congress adopted a new policy toward the mainland, significantly modifying the late President Chiang's "three nos" policy. This new policy basically differentiated between government contacts and unofficial contacts with the mainland. The "three nos" policy would in principle continue to apply only to governmental contacts, while unofficial contacts in a broad sense between individuals or civic organizations and the mainland would be expanded gradually.⁷

On May 20, 1990, in his inaugural address entitled, "Opening a New Era for the Chinese People,"⁸ President Lee Teng-hui avoided negative anti-Communist rhetoric and took a more positive approach to mainland-Taiwan relations. After reaffirming the position that "Taiwan and the mainland are indivisible parts of China's territory . . . and all Chinese should work together to seek peaceful and democratic means to achieve our common goal of national reunification," he stated:

I would like at this point to earnestly declare that, if the Chinese communist authorities can recognize the overall world trend and the common hope of all Chinese, implement political democracy and a free economic system, renounce the use of military force in the Taiwan Straits and do not interfere with our development of foreign relations on the basis of a one-China policy, we would be willing, on a basis of equality, to establish channels of communication, and completely open up academic, cultural, economic, trade, scientific, and technological exchange, to lay a foundation of mutual respect, peace, and prosperity. We hope then, when objective conditions are ripe, we will be able to discuss our national reunification, based on the common will of the Chinese people on both sides of the Taiwan Straits.⁹

Two days later, at a press conference, President Lee stated that "it is not necessary that all the three conditions I put forward are

ciples, and affectionate feelings among relatives; there is no other consideration." Ibid., 176-77.

⁷*Chung-kuo kuo-min-tang hsien-chieh-tuan ta-lu cheng-ts'e* (The KMT's policy toward the mainland at the present stage) (Taipei: Department of Cultural Affairs of the KMT Central Committee, 1988).

⁸"Reportage on Li [Lee] Teng-hui Inauguration Activities," Foreign Broadcast Information Service (FBIS), *Daily Report: China* (hereafter cited as *FBIS-CHI*), 90-098 (May 21, 1990): 61-63 and Lee Teng-hui, *Creating the Future, Toward a New Era for the Chinese People* (Taipei: Government Information Office, 1993), 3-9.

⁹*FBIS-CHI*-90-098 (May 21, 1990): 63 and Lee, *Creating the Future*, 8.

met before we can improve relations with mainland China.” Rather, he said, “issues can be dealt with one by one.”¹⁰

To implement his new initiatives toward mainland-Taiwan relations, President Lee set up a National Unification Council (NUC), representing a wide spectrum of Chinese interests at home and abroad, in October 1990.

On February 23, 1991, the NUC adopted the *Guidelines for National Unification*, which were approved by President Lee on March 5, 1991. According to the *Guidelines*, the unification process of China should go through three phases as stated below:¹¹

1. *In the short term*—A phase of exchange and reciprocity. During this period, regulations governing exchanges across the Taiwan Straits should be enacted and an intermediary “unofficial” organization should be established to enter into contacts with its counterpart on the mainland. The two sides should end the state of hostilities and, under the principle of “one China,” solve all disputes by peaceful means. Moreover, both sides should respect, not reject, each other in the international community, so as to move toward a phase of mutual trust and cooperation.

2. *In the medium term*—A phase of mutual trust and cooperation. During this period, both sides should establish official communication channels on equal footing. Direct postal, transport, and commercial links should be allowed, and both sides should jointly develop the southeastern coastal area of the Chinese mainland and then gradually expand to other areas. Both sides should work together and assist each other in taking part in international organizations and activities. Mutual visits by high-ranking officials on both sides should be promoted to create favorable conditions for consultation and unification.

3. *In the long term*—A phase of consultation and unification. A consultative organization for unification should be established through which both sides, in accordance with the will of the people on both the mainland and Taiwan, and while upholding the principles of democracy, economic freedom, social justice, and the nationalization of armed forces, jointly discuss the grand task of unification and map out a constitutional system to establish a democratic, free, and equitable prosperous China.

¹⁰“President Li [Lee] Teng-hui Holds News Conference,” *FBIS-CHI-90-101* (May 24, 1990): 68.

¹¹*Free China Journal* 8, no. 18 (March 11, 1991): 1.

The *Guidelines* were adopted on March 14, 1991 by the Executive Yuan Council (Cabinet) as the guiding principles for dealing with mainland-Taiwan relations. Earlier, the Executive Yuan had established a Mainland Affairs Council to take charge of mainland-Taiwan relations. A "private" Straits Exchange Foundation (SEF) also was established on February 8, 1991 to make unofficial contacts and negotiations with the Chinese Communist authorities on the mainland. The Foundation is funded two-thirds by the government and one-third by private contributions. Sun Yun-hsuan, former premier and now a senior adviser to the President, was elected honorary chairman, and Koo Chen-fu, chairman of the National Association of Industry and Commerce and a member of the KMT Central Standing Committee, was elected as the chairman.

The SEF is authorized specifically to undertake the following tasks:

1. Accepting, ratifying, and forwarding entry and exit documents from the two sides of the Straits
2. Verifying and delivering documents issued on the mainland
3. Deporting fugitives on the two sides of the Straits
4. Arbitrating trade disputes
5. Promoting cultural and academic exchanges
6. Providing consultation on general affairs
7. Helping protect the legal rights of ROC citizens during their visits to the mainland
8. Dealing with other affairs commissioned by the ROC government¹²

On May 1, 1991, the ROC terminated its "Period of Mobilization for the Suppression of Communist Rebellion," thus ending the state of hostility toward the Chinese Communist-controlled mainland.¹³ On July 31, 1992, the ROC enacted a law to govern the relations between the people of the Taiwan area and the people of the mainland area, covering civil, penal, and administrative matters. The new law applies conflict of laws rules in resolving civil matters.¹⁴

¹²"Coordinating Mainland Affairs," *ibid.*, no. 14 (February 25, 1991): 1.

¹³"ROC Terminates Hostilities Toward Peking," *ibid.*, no. 32 (May 2, 1991): 1.

¹⁴Tammy C. Peng, "'One Country, Two Areas' Decreed ROC Law," *ibid.* 9, no. 52 (July 21, 1992): 1. Chinese text of the law in *Fa-ling yüeh-k'an* (The Law Monthly) 43, no. 10 (October 1992): 22-28.

IV. Moving Toward Closer Taiwan-Mainland Relations

With the relaxation of tension since the early 1980s, Taiwan and the mainland have moved rapidly toward closer relations in cultural, social, trade, and investment areas.

These closer relations necessitate unofficial contacts between the two sides. For instance, between 1987 and 1989, it was estimated that 6,406 Chinese from the mainland, who attempted to or did enter Taiwan illegally, were intercepted.¹⁵ Through the Red Cross societies on both sides, the ROC negotiated a repatriation agreement with the Chinese Communist regime at Quemoy on September 12, 1990.¹⁶

Between 1987 and 1992, it is estimated that there have been more than 4.2 million visits by the people of Taiwan to the mainland, and about 40,000 visits by mainland people to Taiwan.¹⁷ The reason for such a discrepancy in the number of visits is that Taiwan is the second most densely populated area in the world; it must strictly control visitors to prevent their possible illegal settlement in Taiwan during their visit.

During the same period, total indirect trade between Taiwan and the mainland was over US\$20 billion, with Taiwan carrying a favorable balance of US\$16 billion. However, this balance is misleading because it does not take into account the money spent by Taiwan people on their 4.2 million visits to the mainland, and the money remitted by Taiwan residents to help their relatives or friends on the mainland.¹⁸ In 1992, Taiwan exported US\$6.28 billion worth of goods to the mainland, an increase of 34.73 percent over 1991, while its imports from the mainland were only worth US\$1.1 billion, a decrease of 0.62 percent from 1991.¹⁹

With respect to postal exchanges, 6.56 million pieces of mail were sent to the mainland from Taiwan in 1992, while 11.61 million

¹⁵*Liang-an ching-chi fen-hsi pao-kao* (Report on Bi-coastal Economic Analysis), no. 7 (March 1993): 46. This is a journal edited and published by the ROC Mainland Affairs Council.

¹⁶"Mainland-ROC Repatriation Accord Reached," *Free China Journal* 7, no. 73 (September 24, 1990): 1.

¹⁷Huang Kun-huei, *I-nien lai ta-lu kung-tso yü liang-an kuan-hsi ti chien-t'ao yü chan-wang* (Outlook and review of bi-coastal relations and work on mainland affairs [in 1992]) (Taipei: Mainland Affairs Council, December 29, 1992), 8.

¹⁸*Ibid.*, 8-9. According to a study by Professor Lin Chung-hsiung, between 1984 and 1991 Taiwan people spent US\$11.3 billion travelling to the mainland. In addition, between 1987 and 1990, it is estimated that Taiwan people remitted US\$9 billion to their relatives or friends on the mainland.

¹⁹*Liang-an ching-chi fen-hsi pao-kao*, no. 7 (March 1993): 7.

pieces of mail were sent to Taiwan from the mainland. As for telecommunications, Taiwan people made 16.208 million calls (50.27 million minutes) to the mainland in 1992, while mainland people made 10.53 million calls (34.92 million minutes) to Taiwan.²⁰

Taiwan's investment on the mainland is difficult to estimate, but it is believed that total investment may be as high as US\$10 billion, and growth is expected to continue.²¹

V. The Chinese Communist Regime's Response to the ROC's Unification Guidelines

On June 7, 1991, the Taiwan Affairs Office of the Central Committee of the Chinese Communist Party (CCP) issued a statement on mainland-Taiwan relations, which many believe is the official response to the ROC's unification guidelines.²² It made a stern warning regarding the Taiwan independence movement as follows:

While we advocate national reunification through peaceful means, we do not promise to renounce the use of force. This stand is absolutely not meant for Taiwan people, it is meant for foreign forces' interference in China's reunification, and for "Taiwan independence." Recently activities for "Taiwan independence" have been rampant on Taiwan, and they have caused serious concern among countrymen at home and abroad. Taiwan is an inalienable part of Chinese territory and national reunification is the national aspiration and the general trend and popular feeling. "Taiwan independence" goes against national interests and the historical trend, and it will never succeed. We are firmly opposed to any attempt or act aiming at creating "two Chinas," "one country, two governments," or "Taiwan independence." We will never sit by and watch Taiwan become "independent."

The CCP statement again called for establishing the three direct links and urged the KMT to send representatives to contact the CCP "so that conditions can be created for negotiations in connection with formally ending the two sides' hostility and achieving peaceful reuni-

²⁰Ibid., no. 8 (April 1993): 28, 30.

²¹According to an official ROC source, Taiwan investment on the mainland through November 1992 was about US\$3.2 billion. Ibid., 3. According to a PRC source, total Taiwan investment on the mainland in 1992 alone was more than US\$4 billion, exceeding the accumulated amount of all previous years before 1991. See Wang Chien-min (Wang Jianmin), "Taiwan Economy: Moderate Growth in 1992 and Expected to Steadily Grow in 1993," *Liao-wang chou-k'an* (Outlook Weekly) (Peking), February 8, 1993, no. 6:22. An Agence France-Presse dispatch estimated Taiwan's investment on the mainland as US\$3.8 billion, although some estimates put the figure at US\$10 billion. "Beijing-Taipei Produces Four Pacts," *International Herald Tribune*, April 29, 1993, 1.

²²"CPC [Communist Party of China] Office Issues Statement on Ties," *FBIS-CHI*-91-110 (June 7, 1991): 70.

fication step by step.” It further states that “under the premise of upholding the principle that there is but one China, we can also discuss other issues which the Taiwan authorities are concerned about.”

The CCP statement also raised an offer to send a CCP delegation to Taiwan to discuss the unification issue or welcome the KMT to send a delegation to the mainland to establish contacts.

The next day, ROC Government Spokesman Dr. Yu-ming Shaw rejected the CCP’s offer for party-to-party contacts and stated that the CCP statement “lacks new meaning [and] does not contain any good intention.” “Before the Chinese Communists renounce the use of military force to invade Taiwan and refrain from exerting diplomatic isolation against us, their offer to send a delegation to Taipei for a party-to-party talk would be absolutely unacceptable,” he said.²³

With respect to the question of establishing the three direct links, Shaw said that “they are listed as the second stage [phase] of cross-strait development under our [*Guidelines for National Unification*], and would only be made possible when the communists commit to stop threatening to use force against us and isolating us from [the] international community.”²⁴

The Chinese Communist regime, however, later decided to make a more positive response to the ROC’s proposal of establishing an intermediate organization to facilitate mutual contact. On December 6, 1991, it decided to establish a nominally “unofficial” organ—the Association for Relations Across the Taiwan Straits (ARATS). Jung I-jen (Rong Yiren), vice chairman of the NPC Standing Committee and president of the China International Trust and Investment Corporation, was chosen as the honorary chairman of the Association and Wang Tao-han, a former mayor of Shanghai, was elected chairman. T’ang Shu-pei (Tang Shubei), former consul-general at San Francisco, was elected standing deputy chairman.

According to T’ang, the Association mainly would strengthen nonofficial contacts and exchanges, team up with the relevant organs in Taiwan to crack down on maritime smuggling and piracy, and settle disputes between the two sides. This is a counterpart organization to Taipei’s Straits Exchange Foundation.²⁵

²³“Mainland Delegation’s Proposed Visit Rejected,” *FBIS-CHI-91-113* (June 12, 1991): 58.

²⁴*Ibid.*

²⁵“Association Founded for Taiwan Contacts,” *Beijing Review* 34, no. 52 (December 30, 1991-January 5, 1992): 5

VI. Negotiation between the SEF and the ARATS

In November 1991, members of the SEF were authorized by the Mainland Affairs Council of the ROC to go to the mainland to negotiate with authorities of the Chinese Communist regime on the issue of taking joint measures to crack down on maritime smuggling and piracy. However, negotiations soon became deadlocked over the Chinese Communist regime's insistence on inserting "the principle of one China" in the preamble of the proposed agreement. The ROC was reluctant to explicitly specify this principle in an agreement with the Chinese Communist regime. Since most countries in the world have recognized the Chinese Communist regime as the "sole legal government of China," including this principle in the proposed agreement could create the impression that the ROC was submitting to the Chinese Communist regime's sovereignty.

On May 20, 1992, when Standing Deputy Chairman of the ARATS, T'ang Shu-pei, visited New York, he proposed a compromise solution to resolve the issue of "the principle of one China." He stated that, while all negotiations between the SEF and the ARATS should be conducted under "the principle of one China," there was no need to discuss in depth the meaning of "one China," since such discussion likely would lead only to differences in opinion. Both sides temporarily would table the issue of the meaning of "one China," and take a more pragmatic approach to resolve some practical issues generated by the exchanges between Taiwan and the mainland.²⁶

With this new pragmatic approach of the Chinese Communist regime to the issue of the meaning of "the principle of one China," the ROC's National Unification Council adopted a resolution on the meaning of "one China" at its August 1, 1992 meeting as follows:

First, both sides of the Taiwan Straits have been adhering to the principle of one China. Nevertheless, the positions of the two sides are somewhat different. The Chinese Communists, for example, contend that one China means the People's Republic of China and that, after reunification in the future, Taiwan will become a special administrative region under the jurisdiction of the Chinese Communists. Meanwhile, our side contends that one China means the Republic of China founded in 1912 and [its] sovereignty covers all of China. Our government's current political power, however, only covers Taiwan, Penghu, Chinmen [Quemoy] and Matsu. Taiwan is a part of China and the mainland is also part of China.

²⁶*Shih-chieh jih-pao* (The World Journal) (New York), May 21, 1991, 2.

Second, since the 38th year of the Republic of China [1949], China entered a temporary division and two political entities have ruled the two sides of the Taiwan Straits since then. This is an objective fact. All views on unifying the country must not overlook the existence of this fact.

Third, to develop the nation and promote the nation's prosperity and the people's welfare, the Government of the Republic of China has formulated a program for national reunification. It also has sought a common understanding among all people, and it has implemented steps to promote the reunification of the country. Therefore, it earnestly hopes that the authorities on the mainland will seek truth from facts, discard preconceived ideas, cooperate with us, and contribute to the building of a free, democratic, commonly rich, and single China.²⁷

Once this issue was resolved, it appeared that both sides would reach agreement on the substance of the issue of cracking down on smuggling and piracy, but this did not happen. The ARATS insisted that the proposed agreement would be applicable only to the Taiwan Straits area, while the SEF wanted to have a more general application of the agreement.²⁸

The SEF and ARATS also began to negotiate two other agreements, dealing with the question of notarization of official documents issued by authorities of the Chinese Communist regime and the question of tracing and compensating for lost registered mail. The first agreement is very important in dealing with cases relating to inheritance, marriage, and divorce in Taiwan, as ROC administrative agencies or courts could not decide whether those documents presented by the petitioners were authentic documents issued by the Chinese Communist authorities.²⁹ These negotiations again became deadlocked over the issue of how to express "the principle of one China" in the agreement, but through prolonged efforts, both sides agreed that the "one China" principle could be presented verbally but would not be included in the written agreement. Once this issue was resolved, both sides again could not agree on the technical issues of the subject matter, such as fees to be charged for notarizing a document and the categories of documents available for notarization.

²⁷"Reunification Body Defines 'One China' Concept," *FBIS-CHI-92-150* (August 4, 1992): 51 and Tammy C. Peng, "Unification Body Defines 'One China,' NUC [National Unification Council] Proclaims China One Country Separately Ruled by Two Political Entities," *Free China Journal* 9, no. 56 (August 4, 1992): 1.

²⁸*Hai-hsia chiao-liu chi-chin-hui pa-shih nien nien-pao* (Straits Exchange Foundation 1991 yearbook) (Taipei: 1992), 58-59.

²⁹*Ibid.*, 55-56.

VII. Origin of the Koo-Wang Talks

Since its establishment in February 1991, the SEF has attempted to make contacts first with the Taiwan Affairs Office of the State Council of the Chinese Communist regime, and then with the ARATS to resolve certain issues arising out of closer exchanges between the people across the Taiwan Straits. However, as stated above, the operation of such communication channels was not smooth, and each side complained frequently that the other side was uncooperative.

On January 8, 1992, shortly after the founding of the ARATS, it sent a letter to the SEF inviting its chairman, vice chairman, and secretary-general to lead a delegation to the mainland. Because the content of the letter was too vague, the SEF did not respond. Several months later, the chairman of the ARATS, Wang Tao-han, sent a personal letter to the chairman of the SEF, Koo Chen-fu, on August 4, 1992, inviting Koo to meet with him to discuss matters of mutual concern for both organizations, as well as bi-coastal cultural, economic, and trade exchanges.³⁰

On August 22, 1992, Koo accepted the invitation and suggested that he meet Wang in Singapore. At that time, it was anticipated that Koo and Wang would meet in October 1992.³¹ However, things did not proceed as expected. The ARATS soon proposed that there should be a preparatory meeting between the SEF and ARATS to set the agenda of the meeting. While the SEF agreed to such a preparatory meeting, it also counterproposed that both sides resolve the official documents notarization and registered mail issues first.

In late January 1993, it was reported that Koo Chen-fu said he would propose at the meeting establishing a hotline between the SEF and the ARATS, because of the possibility of military conflict arising from a misunderstanding or a wrong evaluation of the other side's intentions.³² Other possible items on the meeting's agenda may

³⁰“Origin of Wang-Ku [Koo] Talks Discussed,” *FBIS-CHI-93-077* (April 23, 1993): 48.

³¹*Shih-chieh jih-pao*, August 24, 1992, 1.

³²“Taiwan, China May Set Up Hotlines,” *The Reuters Library Report*, January 29, 1993 and *Chung-yang jih-pao* (Central Daily News) (Taipei) (International edition), January 30, 1993, 1. There have been several incidents in the past which almost resulted in armed conflict between the ROC and the PRC. For instance, on June 13, 1991, ROC patrol vessels captured six PRC customs officers from a Panamanian registered ship, *Eagle King*, while those officers were investigating smuggling activities onboard the ship. The incident was caused by the false report of crew members of the *Eagle King* that they were being attacked by “pirates.” Later, upon verifying the

have included the establishment of a periodic consultation channel for both organizations, the establishment of dispute settlement procedures, the protection of Taiwan investment on the mainland, and other matters relating to the facilitation of mutual exchanges.

VIII. Preparatory Meeting and the Nature of the Talks

On March 12, 1993, Mr. Chiu Chin-i (Cheyne Chiu), an experienced career diplomat and then deputy secretary-general of the Presidential Office, resigned from his official position and began to serve as the secretary-general of the SEF. On April 3, 1993, the ROC's Mainland Affairs Council authorized Chiu Chin-i to lead a delegation to Peking to hold a preparatory meeting with the ARATS.³³ At the April 11, 1993 preparatory meeting, both sides agreed that the Koo-Wang talks would be nongovernmental, practical, economic, and functional in nature. The purpose of the talks would be to establish a channel for liaison and negotiation to resolve problems evolving from cross-Straits private exchange, and to boost economic, cultural, and technological interaction. No political issues would be discussed. Specific topics scheduled for discussion included the following items:

1. The establishment of a system for regular consultation and contact
2. Repatriation of illegal immigrants across the Taiwan Straits
3. Protection of Taiwan investment in the mainland and mainland businessmen's possible visits to Taiwan
4. Private conferences on economic exchange and joint efforts to develop energy and resources
5. Exchanges of youth visits, technology, and the media
6. Formal signing of two agreements on document notarization and the search and compensation for lost registered mail³⁴

identity of these officers, they were repatriated to the mainland through Hong Kong on June 17, 1991. See Tammy C. Peng, "Foreign Ship, 6 Mainland Officers Held in Taiwan," *Free China Journal* 8, no. 46 (June 19, 1991): 1. For details, see *Hai-hsia chiao-liu chi-chin-hui pa-shih nien nien-pao*, 61-64. There were also cases where one side's vessels were captured by the other side for alleged smuggling activities or piracy. See *ibid.*, 64-72.

³³For the complete text of the authorization document, see *Chung-kuo shih-pao* (China Times) (Taipei), April 4, 1993, 2.

³⁴Susan Yu, "Singapore Koo-Wang Talks Date Set," *Free China Journal* 10, no. 26 (April 13, 1993): 2. Both agreements were initialled by Chiu Chin-i (Cheyne Chiu) in Peking.

The date of the talks was set for April 27-28, 1993.

IX. Agreements Reached in Singapore

On April 25-26, 1993, another preparatory meeting was held in Singapore which set the final agenda of the talks, and on April 27, the Koo-Wang talks formally began. Despite the agreement at the preparatory meetings to exclude political issues from the talks, the ARATS's Wang Tao-han attempted to test that limit by urging the SEF to include the "three links" in the agenda in his opening remarks, which the SEF immediately rejected. The ROC's Mainland Affairs Council also issued a statement rejecting such a proposal.³⁵

Because of the large amount of Taiwan "investment" in the mainland, the SEF wanted to discuss this issue with the ARATS. However, the ARATS refused to discuss this issue on the grounds that there is no direct trade between Taiwan and the mainland and the latter's current protection of Taiwan investors is sufficient.³⁶

Because of this issue, the talks were extended for another day, but no agreement on it was reached. On April 29, 1993, at the conclusion of the talks, four agreements were reached: the Agreement on the Use and Verification of Certificates of Authentication (Notarization) Across the Taiwan Straits, the Agreement on Matters Concerning Inquiry and Compensation for [Lost] Registered Mail Across the Taiwan Straits, the Agreement on the System for Contacts and Meetings Between the SEF and the ARATS, and the Joint Agreement of the Koo-Wang Talks.³⁷

According to the first agreement on certificates of notarization, the two organizations will cooperate by forwarding copies of original notarized documents. If one presents a notarized document to the

³⁵Jessie Hsieh, "MAC Says No to '3 Directs'," *China News* (Taipei), April 28, 1993, 1. Direct air and shipping services involve the issues of the nationality and flag of a ship or aircraft, the issuance of certificates and recognition of ships or aircraft, and defining air and sea routes, all of which are related to sovereignty and the legal status of documents of an issuing government. Therefore, the ROC government considers it a political issue that cannot be negotiated by two private organizations. See *Wo-men tui Koo-Wang hui-t'an ti k'an-fa* (Our views on the Koo-Wang talks) (Taipei: ROC Mainland Affairs Council, 1993), 13-15.

³⁶Cf. Patricia Kuo, "Pacts Finally Signed, But Differences Remain, No Agreements Reached on Protecting Investors," *China Post* (Taipei), April 30, 1993, 1, 16.

³⁷For the text of the four agreements, see *Lien-ho pao* (United Daily News) (Taipei), April 30, 1993, 4, summarized in *Wo-men tui Koo-Wang hui-t'an ti k'an-fa*, 9-13. English summary in Peng, "Historic Meeting Produces Four Agreements," 1, 2.

SEF in Taipei, the latter will compare it with the copy of the same document sent by the ARATS in Peking. If it is the same, then the SEF will certify it so the document can be formally used in Taiwan courts or administrative agencies. Similar procedures will be applied to a notarized document issued by Taiwan. The categories of documents which may be so verified include certificates of marriage, birth, death, inheritance, adoption, consignment, academic degree, residence, lineage, and property ownership.

The second agreement relates to registered mail service, which does not need any explanation.

The third agreement on a system of contact provides that regular meetings will be held between the chairmen, vice chairmen, and secretaries-general of the SEF and ARATS. The deputy secretaries-general of both organizations will be responsible for liaison work in times of emergency. Also, when personnel of the two organizations travel on official business in the territory of a counterpart, the concerned authorities will expedite their entry and exit. In the fourth agreement, both organizations agree in principle to meet again at a later date to discuss subjects that require further negotiation in 1993, including repatriation of persons illegally entering the other's jurisdiction, suppression of maritime smuggling and piracy, fishery disputes, protection of intellectual property rights, and judicial assistance.

With respect to the issue of the protection of Taiwan's investments in the mainland, no agreement was reached at the talks. Therefore, in the Joint Agreement, both sides only agreed to negotiate further in the future; however, no exact date was set.

X. Reaction in the Mainland and Taiwan

The Chinese Communist regime's reaction to the Koo-Wang talks is generally favorable, as reflected in an editorial of the overseas edition of the April 30, 1993 *People's Daily*, the official newspaper of the Chinese Communist Party. "The success of these talks demonstrates an important step in the relations between the two sides and will help promote all kinds of contacts and exchanges, moving forward the talks of the peaceful unification of the nation," the editorial said.³⁸

³⁸"PRC Paper Says Talks Have Advanced Day of Unification," *China Post*, May 1, 1993, 1.

Taiwan's reaction is mixed. Although Premier Lien Chan was upset by the ARATS's refusal to accept the SEF's request for comprehensive protection of Taiwan's investments, he said he believed the mainland authorities would look toward a more pragmatic cross-Straits policy following the Koo-Wang talks.³⁹ However, Huang Kun-huei, chairman of the Lien Cabinet's Mainland Affairs Council, warned that Chinese Communist hostility will not disappear just because of a meeting between the SEF and ARATS, and he urged that Taiwan residents should retain a "high degree of vigilance" when engaging in exchanges with the mainland controlled by the Chinese Communist regime.⁴⁰ A poll conducted by the Public Opinion Poll Association of the ROC after the Koo-Wang talks indicated that 52.6 percent of the Taiwan people still considered the Chinese Communist regime hostile to Taiwan, while only 21.9 percent did not.⁴¹

From the ROC's point of view, after the talks, Taiwan-mainland relations are still in the first phase (stage) of the *Guidelines for National Unification*, i.e., private exchanges. The talks had nothing to do with the question of unification and they were not political negotiations.⁴² In a public opinion poll conducted after the talks, 46 percent of those polled said that they do not think the unification issue should be discussed at this time, while only 21 percent are in favor of discussing it.⁴³

XI. Prospects for Further Development of Taiwan-Mainland Relations

If, after the Koo-Wang talks, the SEF and the ARATS carry out their functions more smoothly, it will certainly contribute to the stable and constructive development of economic, trade, and cultural relations between Taiwan and the mainland. However, there still is

³⁹Alice Lee, "Lien Pleased with Koo-Wang Talks, Cross-Straits Communication Leads to Understanding, Says Premier," *China News*, May 1, 1993, 2.

⁴⁰Tammy C. Peng, "ROC Mainland Policy Unchanged," *Free China Journal* 10, no. 32 (May 4, 1993): 2.

⁴¹*Chung-kuo shih-pao*, May 10, 1993, 2. A public opinion poll conducted by *Lien-ho pao* also indicates that 32 percent of the respondents feel that the relationship between Taiwan and the mainland is still marked by hostilities, and only 20 percent believe relations to be amicable. "Poll Indicates Public Is Changing Attitude Toward Cross-Straits Links," *Free China Journal* 10, no. 34 (May 11, 1993): 2.

⁴²See *Wo-men tui Koo-Wang hui-t'an ti k'an-fa*, 13-15.

⁴³See "Poll Indicates Public Is Changing Attitude Toward Cross-Straits Links," and *Wo-men tui Koo-Wang hui-t'an ti k'an-fa*, 2.

a limit to how far such relations can progress unless three basic issues can be resolved.

The first is the continued Chinese Communist threat of using force against Taiwan. Only when the Chinese Communist regime is willing to respond positively to the call for settling Taiwan-mainland disputes by peaceful means "under the principle of one China," as provided in the ROC's *Guidelines for National Unification*, will it be possible to enter the intermediate phase of the *Guidelines*, i.e., a phase of mutual trust and cooperation. Then the two sides can move closer to the goal of national unification. A closely related issue is Taiwan's right to purchase defensive arms abroad. In light of the Chinese Communist regime's opposition to such purchases and especially the U.S.-PRC Joint Communiqué of August 17, 1982⁴⁴ restricting the quality and quantity of U.S. arms sales to Taiwan, the ROC, anticipating future difficulties, has sought since 1979 to stockpile as much military hardware as possible.

If the Chinese Communist regime drops its opposition to Taiwan's purchases of defensive arms abroad and renounces the use of force against Taiwan, there should be no need for the ROC to purchase so many foreign weapons. If this happens, the ROC could divert some of its defense funds to the joint development of mainland coastal areas as provided in the intermediate phase of the *Guidelines for National Unification*. Then, amicable and mutually beneficial relations could be created between Taiwan and the mainland.

The last issue is the PRC's policy of isolating Taiwan in the international community, particularly its opposition to Taiwan's participation in intergovernmental organizations and conferences. The ROC's *Guidelines for National Unification* call for an end to the state of hostilities between the mainland and Taiwan and, under the principle of "one China," respect each other in the international community so as to move toward the second phase of mutual trust and cooperation. After the Koo-Wang talks, President Lee Teng-hui commented that, while the unification of China is the goal of his government, "the Chinese Communists should not obstruct ROC activities in the international community, but denounce the use of force against Taiwan and treat the ROC as an equal entity." Premier Lien Chan also said the Koo-Wang talks had demonstrated that the ROC is sincere and

⁴⁴For the text of the Communiqué, see *New York Times*, August 18, 1982, A12.

responsible in its efforts to promote better relations with the mainland. As long as the ROC is not isolated in the international community and its national status is not degraded, the problems that now exist between Taiwan and the mainland "will not be difficult" to resolve, he added.⁴⁵

As a matter of fact, the Chinese Communist regime's policy of isolating Taiwan and downgrading the ROC's status in the international community is, ironically, undercutting its attempt to win over the Chinese people in Taiwan for the cause of unification. As such, that policy can only help the advocates of Taiwan independence, because they can make a seemingly convincing argument that only when Taiwan becomes independent can it break out of its present international isolation. In a press conference held on April 30, 1991, President Lee Teng-hui elaborated on this issue as follows:

Why do so many people among us want to advocate independence for Taiwan? This is because Communist China blocks our various activities in the international community and leaves no way out for us. As a result, some youths and some people who are dissatisfied with what the Government has done went abroad and called for Taiwan independence. The call for Taiwan independence does not originate from within Taiwan. Rather, it is a result of Communist China's practice of isolating us from the international community. Personally, I believe that if Communist China understands this point, it would not want to hamper the various activities conducted by us in the international community. Letting the ROC have enough space in the international community is the way to truly promote the development of the ROC on Taiwan as well as reunification of our country. It is not a bad thing for all the Chinese people and will definitely be of great help to our country. Therefore, probably, I'll have to say that the leaders of Communist China are wrong in their thinking. They do not understand what gives rise to the call for Taiwan independence.⁴⁶

If the PRC responds positively toward the three above-stated issues, mainland-Taiwan relations will move to the intermediate phase of the ROC's *Guidelines for National Unification*. This would include direct trade, investment, air and shipping services, mutual high-level visits, establishment of direct official communication channels, and joint development of mainland coastal areas. If these occur, with closer economic relations between Taiwan and the mainland, and with

⁴⁵Tammy C. Peng, "President Lee Stresses Taipei, Peking Equal," *Free China Journal* 10, no. 33 (May 7, 1993): 2.

⁴⁶"Li [Lee] Addresses News Conference, Ends Mobilization," *FBIS-CHI-91-086* (May 3, 1991): 53-54.

Taiwan's participation in international activities under an appropriate status, few in Taiwan would be willing to support the cause of independence to undermine the mutually beneficial relations across the Taiwan Straits and to risk an armed confrontation with the mainland. Such confrontation can only bring disaster. Only under such circumstances will it be possible for Taiwan and the mainland to move gradually toward the ultimate goal of unifying China based on the principles of democracy, economic freedom, and social justice.

DOCUMENTS

Appendix I

Wo-men tui Koo-Wang hui-t'an ti k'an-fa (Our Views on the "Koo-Wang Talks")

Compiled and published by the Mainland Affairs Council
of the Executive Yuan of the Republic of China
Taipei: May 1993

(Translated into English by the Council, with minor editorial
changes by Hungdah Chiu, as indicated by the use of brackets.)

Our Views on the "Koo-Wang Talks"

The Koo-Wang Talks held during April 27-29, 1993 in Singapore were the first contact between the heads of two private government-authorized intermediary organizations in more than four decades since China was divided and placed under separate rule. The talks became the focus of media attention and were closely watched by Chinese both at home and abroad. Although the issues and process of the talks were fully brought into the open, some people linked the talks with politics and distorted their purposes due to an extreme concern in our society. The Mainland Affairs Council (MAC) therefore considers it necessary to provide a comprehensive explanation to the public.

I. The Origin of the Koo-Wang Talks

The main consideration [in] holding the Koo-Wang Talks in Singapore was to resolve problems arising from the people-to-people exchanges between the two sides. It accords with the short-term phase design of the *Guidelines for National Unification*.

Since the government began to allow residents in the Taiwan area to visit their relatives on the mainland on November 2, 1987, some 4.6 million

persons have made trips there during the last five and a half years. In the meantime, indirect trade between the two sides has reached US\$25.6 billion, and nearly 10,000 factories from Taiwan have invested more than US\$6.4 billion on the mainland. More than 64 million letters have been exchanged between the two sides.

In as short a time as five and [one-]half years, the number of exchanges has grown. However, the number of ensuing problems [has also grown. Hence there is an] urgent need to establish an institutionalized channel to resolve those problems. The problems that require priority solution include verification of marriage and inheritance papers, as well as academic records; checking, tracing, and providing compensation for lost mail; providing guarantees and conveniences for Taiwan businessmen and investors on the mainland; assuring the safety and security of travelers; [the] need for a joint crackdown on rampant maritime smuggling activities and illegal immigration; and the increasing number of bilateral fishing disputes.

To solve these numerous problems, the two sides have to establish organizations in charge of handling them, and at the same time set up a system of regular talks.

The Straits Exchange Foundation (SEF) was established with ROC government authorization in February 1991 to handle these problems. After a ten-month wait-and-see period, the mainland founded the Association for Relations Across the Taiwan Straits (ARATS) as a counterpart to the SEF. Since then, the two agencies have met and exchanged views on these problems in Peking and Hong Kong. However, the results were not outstanding because the mainland mixed political questions with practical issues, and also the two sides lacked a systematic channel of communication and negotiation. The situation therefore urgently required that the heads of the two organizations hold talks and find solutions.

With fortitude, SEF Chairman Koo Chen-fu and Secretary-General [Chiu Chin-i] Cheyne J.Y. Chiu shouldered this heavy responsibility and went to the talks amidst high expectations from the majority and some suspicions among the minority of our compatriots. During the talks, they said as much as should be said, and wrangled as hard as could be wrangled. They did their utmost to protect the welfare of the 20 million people in the Taiwan area and ultimately achieved the anticipated results.

II. Definition of the Koo-Wang Talks

The subjects discussed in the Koo-Wang Talks were planned by the government in accord with the goals of the short-term phase in the *Guidelines for National Unification*. This phase stresses promotion of mutual understanding through people-to-people exchanges and elimination of hostility through reciprocity, in hopes that the order and rules for such exchanges can be established between the two sides. This was the highest authorized guiding principle for the SEF in the talks with its mainland counterpart.

When SEF and ARATS held preparatory meetings for the Koo-Wang Talks in Peking during early April of 1993, the two sides agreed that the talks

would be non-governmental, practical, economic and functional in nature. In the preparatory meetings, delegates from both sides scrupulously abided by their commitment not to touch upon any political subject, thus enabling the smooth completion of the preparatory meeting and laying a favorable foundation for the formal talks held later in Singapore.

During the formal talks, the SEF delegates carefully stayed within the parameters set by the MAC, and limited the discussion to subjects agreed upon in the preparatory meetings, thus avoiding all political topics. Though the communist side brought up the political issue of "direct transport, mail and trade," the SEF delegates ignored this and clung firmly to the authorized range of issues previously agreed upon.

As is apparent from the nature of the four agreements signed in the talks: the [*Agreement on the Use and Verification of Certificates of Authentication Across the Taiwan Straits*, hereinafter referred to as] *Agreement on Document [Authentication]*, the [*Agreement on Matters Concerning Inquiry and Compensation for [Lost] Registered Mail Across the Taiwan Straits*, hereinafter referred to as] *Agreement on Tracing of and Compensation for Lost Registered Mail*, the [*Agreement on the System for Contacts and Meetings Between SEF and ARATS*, hereinafter referred to as] *Agreement on the Establishment of Systematic Liaison and Communication Channels Between the SEF and the ARATS*, and the *Koo-Wang Talks Joint [Agreement]*, as well as from the SEF-ARATS decisions to give high priority in their future liaison to the dozen of other issues emerging from increased exchanges across the Taiwan Straits, the Koo-Wang Talks were obviously in no way political.

Although Mr. Koo Chen-fu is a member of the Kuomintang Central Standing Committee, he took part in the talks in his capacity as the chairman of the SEF rather than as a KMT representative. Over the past years, in view of the gradually maturing development of multi-party system in the ROC, the ROC government has either expressed its opposition to or ignored the repeated demands by the Chinese Communists for party-to-party negotiations. This stance of the ROC government will never change.

According to the *Guidelines for National Unification*, exchange visits between high-level officials from both sides can only take place in the medium-term phase, and negotiations for unification are not to be held until the long-term phase. As the current cross-Straits relations are still in the short-term phase of private-sector exchanges, the government will not recklessly hold any political negotiations with the Chinese Communists.

III. The Anticipated Results and Accomplishments of the Talks

The three principal objectives of the Koo-Wang Talks were:

- (1) To institutionalize a channel for consultations between the SEF and ARATS to find solutions to problems:

The SEF has, since its inception, found that correspondence, telecommunication exchanges, and occasional meetings have not been able to provide timely and effective solutions to problems arising from cross-

Straits exchanges. It is essential to establish a system of regular meetings between SEF and ARATS personnel at different levels to enable consultations for finding solutions to the problems according to their importance and urgency.

- (2) To remove obstacles to non-governmental exchanges and to thoroughly safeguard the people's welfare and security:

The topics discussed corresponded with the government's mainland policy at the current stage and the needs of the public. They were designed to solve problems in bilateral exchanges pertaining to the people's rights and interests. The objective was to bring an end to counterfeiting, illegal activities at sea, smuggling, illegal immigration, etc., so as to establish orderly and safe bi-coastal exchanges.

- (3) To lay down the principles of reason, peace, parity and reciprocity for cross-Straits interactions:

During the talks, SEF delegates steadfastly upheld the principle of parity in such matters as meeting procedures, conference sites, seating, as well as the topics and scope of discussions. This made it impossible for the other side to slight the fact the ROC is an equal political entity.

Solving problems, reducing hostilities, promoting understanding, and establishing mutual trust are essential steps towards developing positive interactions between Taiwan and the mainland. Only with sincerity and goodwill on both sides will the interactions be conducive to peace and stability in the Taiwan Straits, and contribute to the stability and prosperity of the Asian-Pacific region.

However, there was one hitch in the talks: [because of] the deliberate indifference of the Chinese Communist authorities, the two sides were unable to substantively explore and reach a common understanding on topics crucial to the people's rights and interests, such as the protection of property and guarantees for the rights and interests of Taiwan businessmen.

IV. The Content of the Four Agreements Signed at the Koo-Wang Talks

- (1) *The Agreement on Document Authentication Between the Taiwan Area and the Mainland Area*

(a) The high frequency of bi-coastal non-governmental exchanges has made it necessary to present, for use on the other side of the Taiwan Straits, documents concerning the claims of rights or the receipt of payments, or for resettlement or residential purposes. However, given the different legal systems on the two sides, and in particular, the extensive area of the Chinese mainland and its large number of agencies, it is difficult to determine whether a document is authentic. Liberal authentication could adversely affect the interests of a party with genuine rights, whereas strict authentication might create inconvenience for the public. It is, therefore, essential for documents to be authenticated through a simple verification process for use on both Taiwan and the mainland.

(b) Formerly, neither side had been able to provide a method of document authentication for the other side. When handling cases of document verification, the SEF had to make written requests for verification by the issuing agency on the mainland. Not only was the exchange of correspondence time-consuming, but the communist Chinese Taiwan Affairs Office ordered that no mainland agency should respond to SEF inquiries. This resulted in inefficient document authentication, a big backlog of verification cases, and a great deal of trouble.

(c) In the *Agreement on Document Authentication Between the Taiwan Area and the Mainland Area*, both sides agreed to send copies of documents concerning inheritance, [adoption], marriage, birth, death, consignment, academic degree, residence, dependency, and property ownership for verification purposes to the other side. Documents will be authenticated by comparison with copies sent by the other side, and verification may be requested in writing in case of any doubt. This method would provide better and more effective service for the people. The SEF and ARATS also agreed to consult and provide mutual assistance in individual cases concerning documents aside from those that are notarized. The signing of this agreement will solve the long-term problem of document authentication that has troubled both Taiwan and the mainland.

(2) *The Agreement on the Tracing of and Compensation for Lost Registered Mail Between the Taiwan Area and the Mainland Area*

(a) Ordinary mail is currently sent across the Taiwan Straits via a third area, but registered mail service has not been provided. The difficulty in the conveyance of important correspondence has mainly been due to a lack of arrangements by either side over the scope of the registered mail service to be offered and the tracing of and compensation for lost registered mail.

(b) In the *Agreement on the Tracing of and Compensation for Lost Registered Mail Between the Taiwan Area and the Mainland Area*, both sides agreed that the registered mail service would cover letters, post cards, aerogrammes, printed matter, newspapers, magazines, and Braille letters. Registered mail will continue to be sent indirectly. Both sides agreed to provide mutual assistance to track down lost registered mail, and to respond within three months of receiving a written inquiry. Should a mail item be found lost, stolen or destroyed, the sender shall be compensated by the [place] of mail origin in order to simplify the issue. The handling of registered mail between Taiwan and the mainland will provide greater protection to the people's rights and interests in sending important documents.

(3) *The Agreement on the Establishment of Systematic Liaison and Communication Channels Between the SEF and ARATS*

(a) The SEF and the ARATS have, since their inception, met a few times to discuss such issues as a joint crackdown on illegal activities at sea, document authentication, and the tracing of and compensation

for lost registered mail. Communication on all other matters was made through fax or mail. This has solved a few individual cases, but the overall operation has not proven entirely satisfactory. There is a need to establish a system of liaison and consultation that will allow the two agencies to better fulfill their functional purposes, and to effectively solve the problems arising from bi-coastal non-governmental exchanges.

(b) *The Agreement on the Establishment of Systematic Liaison and Communication Channels Between the SEF and the ARATS* is aimed primarily at building up a systematic form of communication and dialogue between the two agencies. In principle, the agreement calls for regular and non-periodic meetings between SEF and ARATS chairmen, vice chairmen, and secretaries-general. Department directors or higher-ranking personnel shall meet once every three months to discuss more timely issues in their area of responsibility. The deputy secretary-general or personnel of equivalent status in the two agencies will be the contact person[s] in emergency cases. In addition, the SEF and ARATS shall mutually facilitate the entry and exit of SEF and ARATS personnel.

(4) *The Koo-Wang Talks Joint Agreement*

(a) SEF Chairman Koo and ARATS Chairman Wang met in Singapore on behalf of their respective agencies to proceed with talks that were non-governmental, economic, practical, and functional.

(b) The *Joint Agreement* listed in the order of priority a number of topics over which both sides are concerned and share a common understanding that they require further discussion. Topics that have been set down for discussion this year include repatriation of illegal immigrants, efforts to crack down on illegal activities at sea, the resolution of fishing disputes, the protection of intellectual property rights, and mutual assistance on judiciary issues. As for economic exchanges, the development and exchange of energy resources, and cultural, educational, and scientific and technological exchanges, the SEF and ARATS will continue to hold talks to resolve matters of concern to people on both sides of the Taiwan Straits and to facilitate more smooth and orderly non-governmental exchanges between Taiwan and the mainland.

V. The Nature of “Direct Transportation, Mail and Trade”

On the first day of the Koo-Wang Talks, Wang Tao-han, the Chairman of the Association for Relations Across the Taiwan Straits, declare[d] that “direct transportation, mail and trade” is an economic issue and should be placed on the agenda. On May 2nd, Wang Chao-kuo, [Director] of the [CCP Central Committee] United Front [Work] Department, as well as director of the “Taiwan Affairs Office of the State Council,” also stressed that “direct transportation, mail and trade” is an operational problem, and that the ARATS has been authorized to discuss the issue with the Straits Exchange Foundation.

These two persons seemed to regard “direct transportation, mail and

trade” as an economic and operational issue. As a matter of fact, since the Chinese Communists established diplomatic [relations] with the United States on January 1, 1979 and issued “A Message to Our Taiwan Compatriots,” a “New Era” of a united front toward Taiwan has arrived. Its purpose is the so-called “Peaceful Unification.” Strategically, it is meant to emphasize “direct transportation, mail and trade” as a “breakthrough” in relations across the Straits. At that time, there was no trade between the two sides, so clearly, the Chinese Communist authorities attached a high degree of political significance to “direct transportation, mail and trade.” Nowadays, they pretend to make it an operational issue. Such pretension[s] [are], in fact, self-contradictory.

In recent years, whenever our government vigorously engaged in talks with the governments of Japan, Hungary, Germany, Egypt and Vietnam regarding air traffic rights and technical landing rights, the Chinese Communists either expressed their strong opposition or demanded that the countries cooperating with us reaffirm that Communist China is “the only legitimate government of China.” The Chinese Communists acted so not because our expansion of air traffic rights with other countries might affect the operation of China Civil Airways, but because they regarded it as a political issue involving the exercise of sovereignty.

So the Chinese Communists obstruct our development of air links with other countries for political reasons, while repeatedly declaring that direct transportation is an economic and operational issue, in hopes of setting up “direct transportation, mail and trade” across the Straits as soon as possible. Political designs are hidden behind such contradictory behavior. Now that the Chinese Communists have suddenly reduced “direct transportation, mail and trade” to an operational issue, will they in the future also view our air links with other countries as an operational issue and stop putting up obstructions? We have our suspicions about this.

In concrete terms, direct transportation involves issues of nationality, national flags, issuance of certificates and recognition, and even the problem of defining the air routes, all of which are related to sovereignty and the legal status of each government. In fact, the ROC is not opposed to “direct transportation, mail and trade,” which are already included in the mid-term phase of the *Guidelines for National Unification*. If the Chinese Communists can renounce the use of military force against Taiwan, recognize us as an equal political entity, and stop obstructing our activities in the international community, we would be willing to discuss matters of “direct transportation, mail and trade” under circumstances of respect, security and order.

A domestic public opinion survey shows that the ARATS did not observe the agreement during the Koo-Wang Talks, repeatedly engage[d] in political diatribes, and deliberately distort[ed] the nature of “direct transportation, mail and trade” in order to cover up their political designs. This kind of distracting gimmick has [disgusted the public]. Accordingly, the percentage of those who “approve of hastening the progress of relations across the Straits” has dropped.

VI. Cross-Straits Relations After the Koo-Wang Talks

After the talks, development of normal relations across the Taiwan Straits still has a long way to go. Accordingly, we shall:

- (1) Stick to the process of the *Guidelines for National Unification* and promote [its] mainland policy [steadfastly]:

The talks between the SEF and the ARATS have further exposed the Chinese Communists' strategy and real intentions toward Taiwan, thus further validating the ROC government'[s] policy of dividing the process of unification into three phases as stipulated in the *Guidelines for National Unification*. Furthermore, none of these phases has a timetable. Such a design is sufficient indication that the path of unification needs to be taken deliberately step-by-step—we cannot advance rashly. After all, the two sides have [been separated] for more than forty years; the accumulated problems cannot be resolved overnight. When the two sides of the Straits develop a mutual relationship, we will consider the wishes of our compatriots at home and abroad, as well as the security and well-being of the people in the Taiwan area.

- (2) The Chinese Communists have not abandoned their hostility toward us, so our fellow countrymen have to heighten [their] psychological guard:

During the talks, the two sides agreed to set up an institutionalized channel to resolve problems resulting from people-to-people exchanges across the Taiwan Straits. We have yet to test whether this channel will work smoothly. From all kinds of indications, however, it is apparent that the Chinese Communists have not diminished their hostility toward us. Recently, the Chinese Communist Hsinhua News Agency carried an editorial opposing recognition of us as a political entity. This kind of unreasonable attitude is clearly deleterious to improving relations between the two sides of the Straits. In other words, the time is not ripe for us to move onto the medium-term phase of the *Guidelines for National Unification*.

- (3) Interaction between the two sides of the Straits requires meticulous planning and careful execution:

The Koo-Wang Talks merely laid the foundation for systematic interaction between the two sides of the Taiwan Straits. It is hoped that the problems that arise from the people-to-people exchanges can be resolved by reaching a consensus through the talks. It is also hoped that, based on this groundwork of private-sector exchanges between the two sides, a peaceful rational and reciprocal method can be worked out to broaden the range of exchanges and increase mutual understanding. In order to face the follow-up negotiations on a wide-range of practical affairs arising from cross-Straits exchanges, the MAC will, in conjunction with the respective agencies of the Executive Yuan in charge of such matters and the SEF, carefully map out various topics based on the experience and the results of the Koo-Wang Talks, thereby enabling concrete enactment of the consensus reached in the talks.

- (4) The entire citizenry should forge a consensus and support the government's [execution] of its mainland policy:

The mainland policy is an important administrative measure of the government, upon which the security and welfare of the over 20 million people on the Taiwan area depend. It is also a topic of concern for our overseas compatriots. We must rely upon the common efforts of these compatriots both at home and abroad to exert the integral power of the people and government to impel the Chinese Communists toward economic liberalization and political democratization to reduce the gap between the two sides of the Straits, and thereby advance at the earliest date toward the medium phase outlined in the *Guidelines for National Unification*. In the past, overseas compatriots have made outstanding contributions to the founding of the Republic of China and the re-building and development of the country. We believe that all of us surely have a sense of historical responsibility and mission towards national unification. It is hoped that everyone will make recommendations and suggestions for consideration in the government's decision-making process.

The Koo-Wang Talks have won the support and trust of the majority both at home and abroad. With the strenuous efforts made by SEF representatives, the two sides of the Straits have established an institutionalized non-governmental communications channel, making a historic first step. In the future, the relevant negotiations on practical affairs should get underway. We hope that all our compatriots both at home and abroad urge on and support the government as it pushes forward with non-governmental exchanges between the two sides of the Straits. Its goal is to further understanding through such exchanges, reduce hostility through mutual reciprocity and mutual respect, and to establish positively interactive relations.

* * * * *

The Koo-Wang Talks are the meeting between Koo Chen-fu, Chairman of the Straits Exchange Foundation in the ROC, and Wang Tao-han, Chairman of the Association for Relations Across the Taiwan Straits in Mainland China.

Appendix II

English Translation of the Text of the Agreements

Introduction

- I. Joint Agreement of the Koo-Wang Talks
- II. Agreement on Use and Verification of Certificates of Authentication (Notarization) Across the Taiwan Straits
- III. Agreement on Matters Concerning Inquiry and Compensation for [Lost] Registered Mail Across the Taiwan Straits
- IV. Agreement on the System for Contacts and Meetings between SEF and ARATS

Introduction

Although both Taiwan and the mainland use the same language and writing system, the Chinese characters used and the style of official documents are different. Taiwan uses the original Chinese characters and its official documents are written from top to bottom, right to left. The mainland uses simplified Chinese characters, and its official documents are written from left to right, similar to the Western style.

In view of these differences, all four agreements concluded at the Koo-Wang talks are written in two different versions, i.e., one in original Chinese characters and in the style which prevails in Taiwan, and another in simplified characters and in the style which prevails in the mainland.

When both organizations are referred to in an agreement, in the Taiwan version, SEF is mentioned first, followed by ARATS. In the mainland version, ARATS is mentioned first, followed by SEF.

Similarly, in the Taiwan version, Koo Chen-fu signed first, and in the mainland version, Wang Tao-han signed first. Moreover, the mainland uses the Gregorian Calendar, while Taiwan uses the month and date of the Gregorian Calendar, but not the year. In Taiwan, years are counted beginning with 1912, the founding year of the Republic of China. Under this system, 1993 is the eighty-second year of the Republic of China. Since the mainland Chinese authorities do not recognize the Republic of China, all four agreements only have the month and date, without a year. After the signing of the two different versions of each agreement, each side added its own year. It should be noted that each side has two copies of each agreement, one in original Chinese characters and one in simplified Chinese characters. The two copies held by the Taiwan side are dated, in hand writing, the 29th day of the fourth month of the eighty-second year of the Republic of China, while the mainland version is dated April 29, 1993.

The following unofficial translation is of the Taiwan version of the four agreements.

I. Joint Agreement of the Koo-Wang Talks

Chairman Koo Chen-fu of the Straits Exchange Foundation (hereinafter referred to as SEF) and Chairman Wang Tao-han of the Association for Relations Across the Taiwan Straits (hereinafter referred to as ARATS), representing SEF and ARATS respectively, held talks in Singapore from April 27 to April 29 of this year. These talks were nonofficial, economic, administrative, and functional. SEF Deputy Chairman Chiu Chin-i [Cheyne Chiu], ARATS Standing Deputy Chairman T'ang Shu-pei, and ARATS Deputy Chairman and Concurrently Secretary-General Tsou Che-k'ai (Zou Zhekai) joined in the talks. The two parties reached the following agreements:

1. Agenda of Discussions for This Year

The two parties will definitely hold, by the end of this year, administrative [nonpolitical and functional] discussions on the following topics: repatriation of people who enter the area of the other side in violation of relevant regulations [illegal migrants] and related questions; questions concerning joint efforts to suppress the criminal activities of marine smuggling and piracy; handling of marine fishing disputes between the two sides; protection of intellectual property of the two sides; and mutual assistance between the judicial organs of the two sides (contact and assistance between relevant courts of the two sides).

2. Economic Exchanges

Both parties concur in the necessity of strengthening economic exchanges between the two sides for their mutual benefit. Both parties agree to select times and places to continue discussions on the issue of protecting Taiwan business investment in the mainland and related questions, as well as mutual visits of people from industrial and commercial circles.

3. Exploitation and Exchange [Cooperation] in Energy and Resources

Both parties agree to hold discussions on strengthening cooperation in the exploitation of energy and resources.

4. Culture, Education, Science, and Technology Exchanges

Both parties agree to actively promote mutual visits and exchanges of young people, the press, and science and technology exchanges between the two sides. The two parties will, by the end of this year, sponsor a young people's talent and art competition and exchange and help realize an exchange between young people and mutual visits of news media executives and senior reporters. Both parties shall promote mutual visits of science and technology personnel, exchange science and technology publications, study the unification of terminology in science and the standardization of product specifications, and jointly promote the exchange of technology in computers and other industries. Related matters will be discussed further.

5. Signing and Entry into Force

This joint agreement enters into force thirty days from the date of signing by both parties.

Four copies of this joint agreement were signed on the twenty-ninth day of April, and the two parties will each hold two copies.

(Signed)

Koo Chen-fu, Chairman of the Straits Exchange Foundation

Wang Tao-han, Chairman of the Association for Relations Across the Taiwan Straits

[Added in handwriting:]

The 29th day of the fourth month of the eighty-second year of the Republic of China [April 29, 1993]

II. Agreement on Use and Verification of Certificates of Authentication Across the Taiwan Straits

The Straits Exchange Foundation and the Association for Relations Across the Taiwan Straits, together with the Chinese Association of Notaries Public, having held discussions on matters concerning use and verification of certificates of authentication across the Taiwan Straits, reached the following agreements:

1. Liaison Subjects

(1) Concerning the transmittance of duplicates of certificates of authentication and the verification thereof, the two parties will contact each other through the Straits Exchange Foundation and the Chinese Association of Notaries Public or the associations of notaries public of the relevant provinces, autonomous regions or special cities [cities with a status equivalent to a province].

(2) As regards other related matters of this agreement, contacts shall be made by the Straits Exchange Foundation and the Association for Relations Across the Taiwan Straits.

2. Transmittance of Duplicates of Certificates of Authentication

(1) Both parties agree to transmit to each other duplicates of certificates of authentication concerning inheritance, adoption, marriage, birth, death, mandate [agency], educational background, residence, relatives under maintenance [dependents], and evidence of property rights.

(2) Both parties may, according to the need for certificates of authentication, hold further discussions to add to or subtract from the kinds of duplicates of certificates of authentication which will be transmitted.

3. Verification of Certificates of Authentication

(1) Grounds for Verification

If a certificate of authentication falls within any of the following categories, the two parties shall assist each other in verification:

- i. If it violated the rules concerning competence [jurisdiction] of the organ of authentication;
- ii. If an identical matter was authenticated by different organs of authentication;
- iii. If the contents of a certificate of authentication do not agree with the household registration data or other data on file;

- iv. If the contents of a certificate of authentication contradict each other;
- v. If the words, characters, or seals of a certificate of authentication are illegible or there are suspicious traces of erasures and alterations;
- vi. If other different evidence or data exist; and
- vii. If there are any other matters that need to be clarified.

(2) Grounds for Refusal

If clear grounds for verification are not stated or other verifying seals have been affixed to the certificate of authentication, the party from whom a verification is requested may refuse the verification, but should state the reasons for so doing.

(3) Time Limit for Reply

The party from whom a verification is requested shall reply within thirty days of the date of receiving the letter requesting the verification.

(4) Verification Fees

The party who requested a verification shall pay an appropriate fee to the party from whom the verification is requested.

Standards of verification fees and methods of payment shall be settled through further discussions by both parties.

4. Forms of Documents

When transmitting duplicates of certificates of authentication, requests for verification, or replies, appropriate forms of documents, after they have been agreed upon, shall be used by both parties.

5. Other Documents

Both parties agree to hold separate discussions on matters concerning verification of documents other than certificates of authentication and render assistance thereon.

6. Execution, Amendment, and Termination of Agreements

Both parties shall comply with agreements reached.

Execution, amendment, or termination of an agreement shall be made with the consent of both parties through negotiation.

7. Resolution of Disputes

Both parties shall hold discussions as soon as possible to resolve disputes arising from the application of this agreement.

8. Unsettled Matters

If this agreement leaves any matters unsettled, the two parties may negotiate a settlement through appropriate channels.

9. Signing and Entry into Force

This agreement enters into force thirty days from the date of signing by both parties.

Four copies of this agreement were signed on the twenty-ninth day of April and the two parties will each hold two copies.

(Signed)

Koo Chen-fu, Chairman of the Straits Exchange Foundation

Wang Tao-han, Chairman of the Association for Relations Across the Taiwan Straits

Chiu Chin-i [Cheyne Chiu]

T'ang Shu-pei

[Added in handwriting:]

The 29th day of the fourth month of the eighty-second year of the Republic of China [April 29, 1993]

III. Agreement on Matters Concerning Inquiry and Compensation for [Lost] Registered Mail Across the Taiwan Straits

The Straits Exchange Foundation and the Association for Relations Across the Taiwan Straits, together with the Postal Professional Committee of the Chinese Correspondence Society, having held discussions on matters concerning inquiry and compensation for [lost] registered mail, reached the following agreements:

1. Scope of Operation [Scope of term "Registered Mail"]

Registered mail in the context of this agreement means letters, post cards, aerogrammes, printed matter, newspapers, magazines, and Braille documents. The two parties may increase or decrease the scope of the term "registered mail" by written agreement.

2. Methods of Contact

Inquiries concerning lost registered mail shall be made by the Straits Exchange Foundation and the Postal Professional Committee of the Chinese Correspondence Society, or the postal handling center (air mail and postal centers) designated by the latter.

As for other matters related to registered mail, mutual contact shall be made by the Straits Exchange Foundation and the Association for Relations Across the Taiwan Straits.

3. Methods of Delivery

Registered mail is delivered and handled by way of a third place.

4. Time Limit for Inquiry

Inquiries about registered mail shall be made within twelve months from the date following the day on which the original sender handed the mail to the post office for delivery.

5. Time Limit for Reply

The party who accepts an inquiry shall reply within three months from the date of receiving the document of inquiry.

6. Transcribing and Sending a Notice of Inspection

If one party receives sealed mailbags from the other party and finds any loss, theft, or damage to registered mail, this party shall immediately transcribe and send a notice of inspection to the other party for prompt investigation and reply.

7. Each Side Is Responsible for Its Own Compensation

Any loss, theft, or damage to registered mail shall be compensated for by the party that initiated the delivery and there shall be no mutual settlement of accounts.

8. Forms of Documents

Both parties will make, by means of printing and in accordance with postal customs, forms of inquiry, notices of inspection, letters of reply, and simplified letters for use after mutual approval by both parties.

9. Execution, Amendment, and Termination of Agreements

Both parties shall comply with agreements reached.

Execution, amendment, or termination of an agreement shall be made with the consent of both parties through negotiation.

10. Resolution of Disputes

Both parties shall hold discussions as soon as possible to resolve disputes arising from the application of this agreement.

11. Unsettled Matters

If this agreement leaves any matters unsettled, the two parties may negotiate a settlement through appropriate channels.

12. Signing and Implementation

This agreement enters into force thirty days from the date of signing by both parties.

Four copies of this agreement were signed on the twenty-ninth day of April and the two parties will each hold two copies.

(Signed)

Koo Chen-fu, Chairman of the Straits Exchange Foundation

Wang Tao-han, Chairman of the Association for Relations Across the Taiwan Straits

Chiu Chin-i [Cheyne Chiu]

T'ang Shu-pei

[Added in handwriting:]

The 29th day of the fourth month of the eighty-second year of the Republic of China [April 29, 1993]

IV. Agreement on the System for Contacts and Meetings Between SEF and ARATS

The Straits Exchange Foundation (hereinafter referred to as SEF) and the Association for Relations Across the Taiwan Straits (hereinafter referred to as ARATS), for the purpose of establishing a system for contacts and meetings and having held discussions thereon, reached the following agreements:

1. Meetings

Where there is practical need and with the consent of both parties, the SEF and ARATS chairmen will hold meetings concerning the business of the two organizations. The venues and related questions will be settled through further negotiation.

The SEF deputy chairman and ARATS deputy chairman or secretaries-general of the two organizations will, in principle, hold a meeting once every six months concerning the business of the two organizations. The meetings will be held in Taiwan and the mainland alternately, or in a third place settled on through discussions.

Deputy secretaries-general, department chiefs, and personnel of the rank of director of the two organizations will hold meetings quarterly in selected places in Taiwan or the mainland.

2. Administrative [nonpolitical and functional] Discussions

Both parties agree to hold, as soon as possible, exclusive discussions on matters which arise in the course of exchanges between the two sides which need to be discussed, and sign agreements.

3. Task Forces

Both parties agree that they will each set up an economic team and a comprehensive team as business requires.

4. Emergency Contacts

Both parties agree that they will each designate their deputy secretaries-general as liaison persons for emergencies. They shall contact each other and take appropriate measures in such cases.

5. Facilitating Entry and Exit

Both parties agree that, on the grounds established by this agreement, they will mutually facilitate personnel, designated by the two organizations through discussions, in their entry into and exit from the areas of the two sides. This shall include assistance in customs processing and other matters relating to travel. Concrete measures will be settled through discussions.

6. Execution, Amendment, and Termination of Agreements

Both parties shall comply with agreements reached.

Execution, amendment, or termination of an agreement shall be made with the consent of both parties through negotiation.

7. Unsettled Matters

If this agreement leaves any matters unsettled, the two parties may negotiate a settlement through appropriate channels.

8. Signing and Entry into Force

This agreement enters into force thirty days from the date of signing by both parties.

Four copies of this agreement were signed on the twenty-ninth day of April and the two parties will each hold two copies.

(Signed)

Koo Chen-fu, Chairman of the Straits Exchange Foundation

Wang Tao-han, Chairman of the Association for Relations Across the Taiwan Straits

[Added in handwriting:]

The 29th day of the fourth month of the eighty-second year of the Republic of China [April 29, 1993]

Appendix III

Reference: ROC on Taiwan

Subject: Guidelines for National Unification

To: All Government Agencies

From: Government Information Office

Date: March 15, 1991

RR-91-02

Adopted by the National Unification Council at its third meeting on February 23, 1991, and by the Executive Yuan Council (Cabinet) at its 2223rd meeting on March 14, 1991.

I. Foreword

The unification of China is meant to bring about a strong and prosperous nation with a long-lasting, bright future for its people; it is the common wish of Chinese people at home and abroad. After an appropriate period of forthright exchange, cooperation, and consultation conducted under the principles of reason, peace, parity, and reciprocity, the two sides of the Taiwan Straits should foster a consensus of democracy, freedom, and equal prosperity, and together build anew a unified China. Based on this understanding, these Guidelines have been specially formulated with the express hope that all Chinese throughout the world will work with one mind toward their fulfillment.

II. Goal

To establish a democratic, free, and equitably prosperous China.

III. Principles

1. Both the mainland and Taiwan areas are parts of Chinese territory. Helping to bring about national unification should be the common responsibility of all Chinese people.
2. The unification of China should be for the welfare of all its people and not be subject to partisan conflict.
3. China's unification should aim at promoting Chinese culture, safeguarding human dignity, guaranteeing fundamental human rights, and practicing democracy and the rule of law.
4. The timing and manner of China's unification should first respect the rights and interests of the people in the Taiwan area, and protect their security and welfare. It should be achieved in gradual phases under the principles of reason, peace, parity, and reciprocity.

IV. Process

1. Short term—A phase of exchange and reciprocity.
 - (1) To enhance understanding through exchanges between the two sides of the Straits and eliminate hostility through reciprocity; and to establish a mutually benign relationship by not endangering each other's security and stability while in the midst of exchanges and not denying the other's existence as a political entity while in the midst of effecting reciprocity.
 - (2) To set up an order for exchanges across the Straits, to draw up regulations for such exchanges, and to establish intermediary organizations so as to protect people's rights and interests on both sides of the Straits; to gradually ease various restrictions and expand people-to-people contacts so as to promote the social prosperity of both sides.
 - (3) In order to improve the people's welfare on both sides of the Straits with the ultimate objective of unifying the nation, in the mainland area economic reform should be carried out forthrightly, the expression of public opinion there should gradually be allowed, and both democracy and the rule of law should be implemented; while in the Taiwan area efforts should be made to accelerate constitutional reform and promote national development to establish a society of equitable prosperity.
 - (4) The two sides of the Straits should end the state of hostility and, under the principle of one China, solve all disputes through peaceful means, and furthermore respect—not reject—each other in the international community, so as to move toward a phase of mutual trust and cooperation.
2. Medium term—A phase of mutual trust and cooperation.
 - (1) Both sides of the Straits should establish official communication channels on equal footing.
 - (2) Direct postal, transport, and commercial links should be allowed, and both sides should jointly develop the southeastern coastal area of the Chinese mainland and then gradually extend this development to other areas of the mainland in order to narrow the gap in living standards between the two sides.
 - (3) Both sides of the Straits should work together and assist each other in taking part in international organizations and activities.
 - (4) Mutual visits by high-ranking officials on both sides should be promoted to create favorable conditions for consultation and unification.
3. Long term—A phase of consultation and unification.

A consultative organization for unification should be established through which both sides, in accordance with the will of the people in both the mainland and Taiwan areas, and while adhering to the goals of democracy, economic freedom, social justice, and nationalization of the armed forces, jointly discuss the grand task of unification and map out a constitutional system to establish a democratic, free, and equitably prosperous China.

Appendix IV

CHINESE VERSION OF THE AGREEMENTS
JOINT AGREEMENT OF THE KOO-WANG TALKS

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1. TEXT IN ORIGINAL CHINESE CHARACTERS

辜汪會談共同協議

財團法人海峽交流基金會（以下簡稱海基會）辜振甫董事長與海峽兩岸關係協會（以下簡稱海協）汪道涵會長代表兩會於本年四月廿七日至廿九日在新加坡進行會談。本次會談為民間性、經濟性、事務性與功能性之會談，海基會邱進益副董事長與海協常務副會長唐樹備、副會長兼秘書長鄒哲開等參加會談。雙方達成以下協議：

一、本年度協商議題

雙方確定今年內就「違反有關規定進入對方地區人員之遣返及相關問題」、「有關共同打擊海上走私、搶劫等犯罪活動問題」、「協商兩岸海上漁事糾紛之處理」、「兩岸智慧財產權（知識產權）保護」及「兩岸司法機關之相互協助（兩岸有關法院之間的聯繫與協助）」（暫定）等議題進行事務性協商。

二、經濟交流

雙方均認為應加強兩岸經濟交流，互補互利。雙方同意就臺商在大陸投資權益及相關問題、兩岸工商界人士互訪等問題，擇時擇地繼續進行商談。

三、能源資源開發與交流

雙方同意就加強能源、資源之開發與交流進行磋商。

四、文教科技交流

雙方同意積極促進青少年互訪交流、兩岸新聞界交流以及科技交流。在年內舉辦青少年才藝競賽及互訪，促成青年交流、新聞媒體負責人及資深記者互訪。促進科技人員互訪、交換科技研究出版物以及探討科技名詞統一與產品規格標準化問題，共同促進電腦及其他產業科技之交流，相關事宜再行商談。

五、簽署生效

本共同協議自雙方簽署之日起三十日生效實施。

本共同協議於四月廿九日簽署，一式四份，雙方各執兩份。

財團法人海峽交流基金會

董事長

王幸振甫

海峽兩岸關係協會

會長

江道洪

中華民國八十二年四月十九日

2. TEXT IN SIMPLIFIED CHINESE CHARACTERS

汪辜会谈共同协议

海峡两岸关系协会(以下简称海协)汪道涵会长与财团法人海峡交流基金会(以下简称海基会)辜振甫董事长代表两会于本年四月二十七日至二十九日在新加坡进行会谈。本次会谈为民间性、经济性、事务性与功能性之会谈。海协常务副会长唐树备、副会长兼秘书长邹哲开与海基会副董事长兼秘书长邱进益等参加会谈。双方达成以下协议:

一、本年度协商议题

双方确定今年内就“违反有关规定进入对方地区人员之遣返及相关问题”、“有关共同打击海上走私、抢劫等犯罪活动问题”、“协商两岸海上渔事纠纷之处理”、

“两岸知识产权(智慧财产权)保护”及“两岸有关法院之间的联系与协助(两岸司法机关之相互协助)”(暂定)等议题进行事务性协商。

二、经济交流

双方均认为应加强两岸经济交流,互补互利。双方同意就台商在大陆投资权益及相关问题、两岸工商界人士互访等问题,择时择地继续进行商谈。

三、能源资源开发与交流

双方同意就加强能源、资源之开发与交流进行磋商。

四、文教科技交流

双方同意积极促进青少年互访交流、两岸新闻界交流及科技交流。在年内举办青少年才艺竞赛及互访，促成青年交流、新闻媒体负责人及资深记者互访。促进科技人员互访、交换科技研究出版物以及探讨科技名词统一与产品规格标准化问题，共同促进电脑及其它产业科技之交流。相关事宜再行商谈。

五、签署生效

本共同协议自双方签署之日起三十日生效实施。

本共同协议于四月二十九日签署，一式四份，双方各执两份。

海峡两岸关系协会
会长

财团法人海峡交流基金会
董事长

王道涵

辜振甫

中華民國八十二年四月十九日

- II. AGREEMENT ON USE AND VERIFICATION OF CERTIFICATES OF AUTHENTICATION (NOTARIZATION) ACROSS THE TAIWAN STRAITS

兩岸公証書使用查証協議

1. TEXT IN ORIGINAL CHINESE CHARACTERS

兩岸公證書使用查證協議

財團法人海峽交流基金會與海峽兩岸關係協會、中國公證員協會，就兩岸公證書使用查證事宜，經協商達成以下協議：

一、聯繫主體

(一) 關於寄送公證書副本及查證事宜，雙方分別以財團法人海峽交流基金會與中國公證員協會或有關省、自治區、直轄市公證員協會相互聯繫。

(二) 本協議其他相關事宜，由財團法人海峽交流基金會與海峽兩岸關係協會聯繫。

二、寄送公證書副本

(一) 雙方同意相互寄送涉及繼承、收養、婚姻、出生、死亡、委託、學歷、定居、扶養親屬及財產權利證明公證書副本。

(二) 雙方得根據公證書使用需要，另行商定增、減寄送公證書副本種類。

三、公證書查證

(一) 查證事由

公證書有下列情形之一，雙方應相互協助查證：

1. 違反公證機關有關受理範圍規定；
2. 同一事項在不同公證機關公證；
3. 公證書內容與戶籍資料或其他檔案資料記載不符；
4. 公證書內容自相矛盾；
5. 公證書文字、印鑑模糊不清，或有塗改、擦拭等可疑痕跡；
6. 有其他不同證據資料；
7. 其他需要查明事項。

(二) 拒絕事由

未敘明查證事由，或公證書上另加蓋有其他證明印章者，接受查證一方得附加理由拒絕該項查證。

(三) 答覆期限

接受查證一方，應於收受查證函之日起三十日內答覆。

(四) 查證費用

提出查證一方應向接受查證一方支付適當費用。

查證費用標準及支付方式由雙方另行商定。

四、文書格式

寄送公證書副本、查證與答覆，應經雙方協商使用適當文書格式。

五、其他文書

雙方同意就公證書以外的文書查證事宜進行個案協商並予協助。

六、協議履行、變更與終止

雙方應遵守協議。

協議變更或終止，應經雙方協商同意。

七、爭議解決

因適用本協議所生爭議，雙方應儘速協商解決。

八、未盡事宜

本協議如有未盡事宜，雙方得以適當方式另行商定。

九、簽署生效

本協議自雙方簽署之日起三十日後生效實施。

本協議於四月廿九日簽署，一式四份，雙方各執兩份。

財團法人海峽交流基金會

代表

邱進益

海峽兩岸關係協會

代表

江道生

中華民國八十年四月廿九日

唐樹金

邱進益

2. TEXT IN SIMPLIFIED CHINESE CHARACTERS

两岸公证书使用查证协议

海峡两岸关系协会、中国公证员协会与财团法人海峡交流基金会,就两岸公证书使用查证事宜,经协商达成以下协议:

一、联系主体

(一)关于寄送公证书副本及查证事宜,双方分别以中国公证员协会或有关省、自治区、直辖市公证员协会与财团法人海峡交流基金会相互联系。

(二)本协议其他相关事宜,由海峡两岸关系协会与财团法人海峡交流基金会联系。

二、寄送公证书副本

(一)双方同意相互寄送涉及继承、收养、婚姻、出生、死亡、委托、学历、定居、扶养亲属及财产权利证明公证书副本。

(二)双方得根据公证书使用需要,另行商定增、减寄送公证书副本种类。

三、公证书查证

(一)查证事由

公证书有下列情形之一,双方应相互协助查证:

1、违反公证机关有关受理范围规定;

- 2、同一事项在不同公证机关公证；
- 3、公证书内容与户籍资料或其他档案资料记载不符；
- 4、公证书内容自相矛盾；
- 5、公证书文字、印鉴模糊不清，或有涂改、擦拭等可疑痕迹；
- 6、有其他不同证据资料；
- 7、其他需要查明事项。

(二)拒绝事由

未叙明查证事由，或公证书上另加盖有其他证明印章者，接受查证一方得附加理由拒绝该项查证。

(三)答复期限

接受查证一方，应于收受查证函之日起三十日内答复。

(四)查证费用

提出查证一方应向接受查证一方支付适当费用。

查证费用标准及支付方式由双方另行商定。

四、文书格式

寄送公证书副本、查证与答复，应经双方协商使用适当文书格式。

五、其他文书

双方同意就公证书以外的文书查证事宜进行个案协商并予协助。

六、协议履行、变更与终止

双方应遵守协议。

协议变更或终止,应经双方协商同意。

七、争议解决

因适用本协议所生争议,双方应尽速协商解决。

八、未尽事宜

本协议如有未尽事宜,双方得以适当方式另行商定。

九、签署生效

本协议自双方签署之日起三十日后生效实施。

本协议于四月二十九日签署,一式四份,双方各执两份。

海峡两岸关系协会

代 表

财团法人海峡交流基金会

代 表

汪道涵

辜振甫

唐树备

邱进益

中華民國八十年四月廿九日

- III. AGREEMENT ON MATTERS CONCERNING INQUIRY AND COMPENSATION
FOR [LOST] REGISTERED MAIL ACROSS THE TAIWAN STRAITS

兩岸掛號函件查詢、
補償事宜協議

1. TEXT IN ORIGINAL CHINESE CHARACTERS

兩岸掛號函件查詢、補償事宜協議

財團法人海峽交流基金會與海峽兩岸關係協會、中國通信學會郵政專業委員會，就兩岸掛號函件查詢及補償事宜，進行協商，達成以下協議：

一、開辦範圍

本協議所稱掛號函件係指信函、明信片、郵簡、印刷物、新聞紙、雜誌及盲人文件。上述開辦範圍雙方得以書面協議增減。

二、聯繫方式

掛號函件之查詢由財團法人海峽交流基金會與中國通信學會郵政專業委員會或其指定之郵件處理中心（航郵中心）相互聯繫。

其他相關事宜由財團法人海峽交流基金會與海峽兩岸關係協會相互聯繫。

三、傳遞方法

掛號函件通過第三地轉運辦理。

四、查詢期限

掛號函件查詢，應自原寄件人交寄次日起十二個月內提出。

五、答覆期限

接受查詢一方應於收受查詢文件之日起三個月內答覆。

六、繕發驗單

一方接收他方封來之函件總包，遇有掛號函件遺失、被竊或毀損等情形，應即繕發驗單，由對方迅予查覆。

七、各自理賠

掛號函件發生遺失、被竊或毀損等情形，概由原寄一方負責補償，不相互結算。

八、文件格式

雙方各依郵政慣例印製查詢表格、驗單、答覆函及簡函，相互認可後使用。

九、協議履行、變更與終止

雙方應遵守協議。

協議變更與終止，應經雙方協商同意。

十、爭議解決

因適用本協議所生爭議，雙方應儘速協商解決。

十一、未盡事宜

本協議如有未盡事宜，雙方得以適當方式另行商定。

十二、生效實施

本協議自雙方簽署之日起三十日後生效實施。

本協議於四月廿九日簽署，一式四份，雙方各執兩份。

財團法人海峽交流基金會

代表

王振南

邱繼正

海峽兩岸關係協會

代表

汪道涵

廖樹奇

中華民國八十二年四月廿九日

两岸挂号函件查询、补偿事宜协议

海峡两岸关系协会、中国通信学会邮政专业委员会与财团法人海峡交流基金会,就两岸挂号函件查询及补偿事宜,进行协商,达成以下协议:

一、开办范围

本协议所称挂号函件系指信函、明信片、邮筒、印刷物、新闻纸、杂志及盲人文件。上述开办范围双方得以书面协议增减。

二、联系方式

挂号函件之查询由中国通信学会邮政专业委员会与财团法人海峡交流基金会或其指定之邮件处理中心(航邮中心)相互联系。

其他相关事宜由海峡两岸关系协会与财团法人海峡交流基金会相互联系。

三、传递方法

挂号函件通过第三地转运办理。

四、查询期限

挂号函件查询,应自原寄件人交寄次日起十二个月内提出。

五、答复期限

接受查询一方应于收受查询文件之日起三个月内答复。

六、缮发验单

一方接收他方封来之函件总包，遇有挂号函件遗失、被窃或毁损等情形，应即缮发验单，由对方迅予查复。

七、各自理赔

挂号函件发生遗失、被窃或毁损等情形，概由原寄一方负责补偿，不相互结算。

八、文件格式

双方各依邮政惯例印制查询表格、验单、答复函及简函，相互认可后使用。

九、协议履行、变更与终止

双方应遵守协议。

协议变更与终止，应经双方协商同意。

十、争议解决

因适用本协议所生争议，双方应尽速协商解决。

十一、未尽事宜

本协议如有未尽事宜，双方得以适当方式另行商定。

十二、生效实施

本协议自双方签署之日起三十日后生效实施。

本协议于 四 月二十九 日签署，一式四份，双方各执两份。

海峡两岸关系协会

代 表

财团法人海峡交流基金会

代 表

汪道涵

辜振甫

唐树备

邱进益

中 华 民 国 八 十 二 年 四 月 十 九 日

- IV. AGREEMENT ON THE SYSTEM FOR CONTACTS AND MEETINGS BETWEEN
THE STRAITS EXCHANGE FOUNDATION AND THE ASSOCIATION FOR
RELATIONS ACROSS THE TAIWAN STRAITS

兩會聯繫與會談制度協議

1. TEXT IN ORIGINAL CHINESE CHARACTERS

兩會聯繫與會談制度協議

財團法人海峽交流基金會（以下簡稱海基會）與海峽兩岸關係協會（以下簡稱海協）為建立聯繫與會談制度，經協商達成以下協議：

一、會談

海基會董事長與海協會長，視實際需要，經雙方同意後，就兩會會務進行會談，地點及相關問題另行商定。

海基會副董事長與海協常務副會長或兩會秘書長，原則上每半年一次，在兩岸輪流和商定之第三地，就兩會會務進行會談。

兩會副秘書長、處長、主任級人員，就主管之業務，每季度在兩岸擇地會商。

二、事務協商

雙方同意就兩岸交流中衍生且有必要協商之事宜，儘速進行專案協商，並簽署協議。

三、專業小組

雙方同意因業務需要，各自成立經濟小組與綜合事務小組。

四、緊急聯繫

雙方同意各自指定副秘書長作為緊急事件之聯絡人，相互聯繫並採行適當措施。

五、入出境往來便利

雙方同意因本協議所定之事由，相互給予經商定之兩會會務人員適當之入出境往來與查驗通關等便利，其具體辦法另行商定。

六、協議履行、變更與終止

雙方應遵守協議。
協議變更或終止應經雙方協商同意。

七、未盡事宜

本協議如有未盡事宜，雙方得以適當方式另行商定。

八、簽署生效

本協議自雙方簽署之日起三十日生效。

本協議於四月廿九日簽署，壹式肆份，雙方各執兩份。

財團法人海峽交流基金會

董事長

辜振甫

海峽兩岸關係協會

會長

江道源

中華民國八十二年四月廿九日

2. TEXT IN SIMPLIFIED CHINESE CHARACTERS

两会联系与会谈制度协议

海峡两岸关系协会（以下简称海协）与财团法人海峡交流基金会（以下简称海基会）为建立联系与会谈制度，经协商达成以下协议：

一、会谈

海协会会长与海基会董事长，视实际需要，经双方同意后，就两会会务进行会谈，地点及相关问题另行商定。

海协常务副会长与海基会副董事长或两会秘书长，原则上每半年一次，在两岸轮流和商定之第三地，就两会会务进行会谈。

两会副秘书长、处长、主任级人员，就主管之业务，每季度在两岸择地会商。

二、事务协商

双方同意就两岸交流中衍生且有必要协商之事宜，尽速进行专案协商，并签署协议。

三、专业小组

双方同意因业务需要，各自成立经济小组与综合事务小组。

四、紧急联系

双方同意各自指定副秘书长作为紧急事件之联络人，相互联系并采行适当措施。

五、入出境往来便利

双方同意因本协议所定之事由，相互给予经商定之两会会务人员适当之入出境往来与查验通关等便利，其具体办法另行商定。

六、协议履行、变更与终止

双方应遵守协议。

协议变更或终止应经双方协商同意。

七、未尽事宜

本协议如有未尽事宜，双方得以适当方式另行商定。

八、签署生效

本协议自双方签署之日起三十日生效。

本协议于四月二十九日签署，一式四份，双方各执两份。

海峡两岸关系协会
会长

汪道涵

财团法人海峡交流基金会
董事长

辜振甫

中華民國八十二年四月十九日